



Louisville Metro Government
Develop Louisville
Office of Planning & Design Services
 444 S. 5th Street, Louisville, KY 40202

03/19/2021
5:00 PM

Owner:

DWSB, Louisville LLC
 401 Milford Parkway, Ste A.
 Milford OH, 45150-9119

Registered Agent:

Corporate Statutory Services INC.
 C/O Wijdan Jreisat
 820 Maple Avenue
 Newport KY, 41071

Interested Party:

Jeff Wyler Honda Auto Mall
 5244 Dixie Highway
 Louisville KY, 40216

Subject Property: 5244 Dixie Highway
Zoning Enforcement Case: ENF-ZON-20-001025-3 Visit #3
Inspection Date: 03/19/2021
Inspection Time: 02:00 PM

ZONING ENFORCEMENT
NOTICE OF VIOLATION – BINDING ELEMENT

Following a complaint, your property was inspected on 03/19/2021. As observed during the inspection and/or discovered through subsequent investigation, a Binding Element violation(s) exists that requires your immediate attention.

You must immediately stop using this property in violation of the Binding Elements that have been approved as part of a land use development plan associated with the subject property. A binding element is a binding requirement, provision, restriction, or condition imposed by the Planning Commission or its designee, or a promise or agreement made by an applicant in writing, in connection with the approval of a land use development plan or subdivision plan. Please contact the Office of Planning & Design Services to determine what steps must be taken to remedy the violation(s). Failure to comply with this Notice may result in a Citation and fine. Any person or entity that violates any provision related to Binding Elements shall be fined not less than \$500 nor more than \$4,000 for each violation. Each day of violation during which the Binding Element violation exists 10 days after this letter shall constitute a separate offense.

This Notice serves as the warning notice required under Section 153.23 of the Louisville Metro Code of Ordinances and Section 100.409 of Kentucky Revised Statutes (KRS). You have 10 days in which to remedy the violation (Saturdays, Sundays and holidays excluded). If you fail or refuse to remedy the violation within the specified time, a Citation may be issued.

A zoning enforcement officer will re-inspect the property to determine if you have complied with this Notice. Should you have any questions, please email or call me at the number below.

Steven Bodner
Inspector / Zoning Enforcement Officer
(502) 773-2067
Steven.Bodner@louisvilleky.gov

If you are not the owner of this property, you have been sent a copy of this Notice as an interested party.

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BE_001 Noncompliance with a Binding Element or Condition of Approval:

- The terms of an approved development plan and Binding elements or conditions of Approval are not being met on the subject property. All construction must be conducted in accordance with the approved plan and Binding elements or conditions of approval.
- 19-DDP-0067

Inspector Comments:

- Gates are closed at Flintlock Dr and Zayre Rd blocking access to the shopping center. Sending B.E NOV for failure to comply with approved plan.



EROSION PREVENTION AND SEDIMENT CONTROL NOTES

THE APPROVED EROSION PREVENTION AND SEDIMENT CONTROL (EPSC) PLAN SHALL BE IMPLEMENTED PRIOR TO ANY LAND-DISTURBING ACTIVITY ON THE CONSTRUCTION SITE. ANY MODIFICATIONS TO THE APPROVED EPSC PLAN MUST BE REVIEWED AND APPROVED BY MSD'S PRIVATE DEVELOPMENT REVIEW OFFICE. EPSC BMP'S SHALL BE INSTALLED PER THE PLAN AND MSD STANDARDS.

DETENTION BASINS, IF APPLICABLE, SHALL BE CONSTRUCTED FIRST AND SHALL PERFORM AS SEDIMENT BASINS DURING CONSTRUCTION UNTIL THE CONTRIBUTING DRAINAGE AREAS ARE SEEDED AND STABILIZED.

ACTIONS MUST BE TAKEN TO MINIMIZE THE TRACKING OF MUD AND SOIL FROM CONSTRUCTION AREAS ONTO PUBLIC ROADWAYS. SOIL TRACKED ONTO THE ROADWAY SHALL BE REMOVED DAILY.

SOIL STOCKPILES SHALL BE LOCATED AWAY FROM STREAMS, PONDS, SWALES AND CATCH BASINS. STOCKPILES SHALL BE SEEDED, MULCHED, AND ADEQUATELY CONTAINED THROUGH THE USE OF SILT FENCE.

SEDIMENT-LADEN GROUNDWATER ENCOUNTERED DURING TRENCHING, BORING, OR OTHER EXCAVATION ACTIVITIES SHALL BE PUMPED TO A SEDIMENT TRAPPING DEVICE PRIOR TO BEING DISCHARGED INTO A STREAM, POND, SWALE, OR CATCH BASIN.

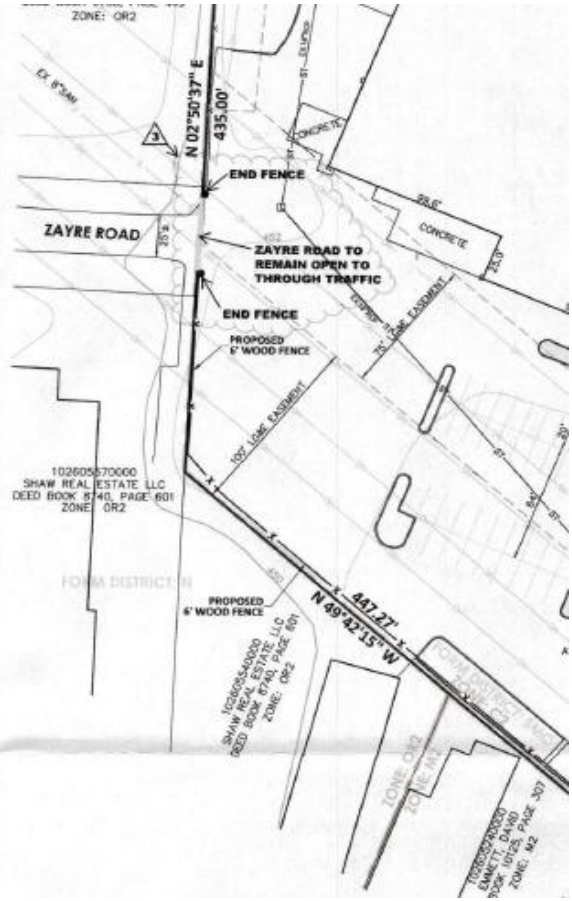
WHERE CONSTRUCTION OR LAND DISTURBING ACTIVITY WILL OR HAS TEMPORARILY CEASED ON ANY PORTION OF A SITE, TEMPORARY SITE STABILIZATION MEASURES SHALL BE REQUIRED AS SOON AS PRACTICABLE, BUT NO LATER THAN 14 CALENDAR DAYS AFTER THE ACTIVITY AS CEASED.

CROSS ACCESS EASEMENT

THE SUBJECT PROPERTY AND ADJOINING PROPERTIES TO THE NORTH ARE SUBJECT TO AND TOGETHER WITH AN AGREEMENT FILED IN DEED BOOK 3811, PAGE 257 THAT INCLUDES RIGHTS OF VEHICULAR ACCESS ACROSS THE INCLUDED PROPERTIES.



1. PARCEL DATA:
ADDRESS: 5244 DIXIE HIGHWAY, LOUISVILLE, KY 40216
PARCEL No. 102605130000
TAX BLOCK 3026, LOT 0513
DEED REFERENCE: D.B. 11076, PG. 81
LOT AREA: 8.422 ACRES (NET & GROSS)
 2. OWNER & APPLICANT
DWSB LOUISVILLE, LLC
401 MILFORD PARKWAY, SUITE A
MILFORD, OH 45150
 3. EXISTING ZONING CLASSIFICATION: C-2
FORM DISTRICT: SUBURBAN MARKETPLACE CORRIDOR
 4. EXISTING USE: AUTOMOBILE SALES & SERVICE, RETAIL
- PROJECT INVOLVES THE INSTALLATION OF A SECURITY FENCE, NO NEW SITE WORK IS PROPOSED AS PART OF THIS ZONING APPLICATION.



Binding Elements

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.

Responsible:

- Owner

Subject violation needs to be in compliance to avoid penalties and/or court action.